

Message Text

LIMITED OFFICIAL USE

PAGE 01 JIDDA 03419 070906Z
ACTION L-03

INFO OCT-01 NEA-11 ISO-00 CA-01 CPR-01 SCS-06 VO-05
/028 W

-----038378 070912Z /11

R 070732Z MAY 78
FM AMEMBASY JIDDA
TO SECSTATE WASHDC 1975
INFO USLO RIYADH
AMCONSUL DHAHRAN

LIMITED OFFICIAL USE JIDDA 3419

E.O. 11652: NA
TAGS: CGEN, PDIP, SA, US
SUBJECT: PROPOSED BILATERAL CONSULAR CONVENTION

REF: STATE 113329

1. EMBASSY CONCURES IN WISDOM OF NEGOTIATING CHANGES IN TEXT
SAUDIS ARE ALREADY STUDYING (REFTEL PARA 1) RATHER THAN
PREVIDING NEW PROPOSED TEXT. IS THERE ANY TIME FRAME FOR
NEGOTIATIONS YET IN SIGHT?

2. DEPT OBJECTIONS TO OUR SUGGESTIONS RE ARTICLES 1(1) AND 1
(2) ARE UNDERSTOOD AND ACCEPTED.

3. RE ARTICLE 39(7) AND OUR PROPOSAL BROADEN SCOPE WE THINK
IMMEDIATELY OF CIGARETTES AND TOTHER SMOKING ITEMS AND OF RADIOS.
IN GENERAL, WE JUST PREFER REASONABLE "OPEN END" DEFINITION
RATHER THAN SPECIFICS.

4. WE ARE PLEASED WITH DEPT INTENTION UNDER ARTICLE
39(9) . SAUDI EXIT VISA REQUIREMENTS IS CONSTATNT SOURCE
OF FRICTION FOR AMCITS HERE, ESPECIALLY WHEN IMERGENCIES
ARISE.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 JIDDA 03419 070906Z

5. DEPT'S PROPOSED AMENDMENT OF FIRST SENTENCE IN
ARTICLE 41(2) CHANGES VERY LITTLE WORDING EMBASSY FOUND
PROBLEMATICAL IN ORIGINAL TEXT. AS NOTED IN JIDDA 1876,
ARTICLE 39(6) SAYS "A CONSULAR OFFICER SHALL BE PERMITTED
TO ATTEND THE TRIAL OF SUCH NATIONAL AS WELL AS ALL
OTHER JUDICIAL PROCEEDINGS". PRESUMBLY THE MASTER OR

CREW MEMBER IS "SUCH A NATIONAL" AND SHOULD HAVE THE SAME EXPLICIT RIGHT TO THE CONSULAR OFFICER'S PRESENCE "BEFORE THE COURTS OR OTHER AUTHORITIES". IS THERE NECESSITY DRAG IN "LOCAL LAW" ISSUE FOR MARINEERS WHEN NOT DONE FOR AMCITS IN GENERAL?

6. RE OUR SUGGESTION THAT ARTICLES 43 AND 44 NEED ALSO "PROTECT AGAINST CHARGES OF ILLEGAL INTRY", AS PRESENTLY WORDED PROVIDES ONLY ASSISTANCE, NOTIFICATION, ETC. IF A VESSEL IS "WRECKED, GROUNDED OR SUFFERS OTHER DAMAGE IN THE INTERNAL OR TERRITORIAL WATERS". OUR CONCERN, BECAUSE OF YACHT "TWILIGHT" CASE IN 1976, SIMILAR TO SEVERAL OTHER CASES ALONG RED SEA COAST SINCE REOPENING OF SUEZ CANAL, IS SITUATION WHEN YACHT COMES INTO TERRITORIAL WATERS TO SHELTER FROM STORM AND CREW ARE ARRESTED. NARROWLY INTERPRETED, EVEN "DAMAGE" WHICH MIGHT FORCE VESSEL TO SEEK SHELTER IS NOT ACTUALLY "SUFFERED IN TERRITORIAL WATERS", BUT IN INTERNATIONAL WATERS, AND THUS NOT COVERED BY WORDING OF PROPOSED TEXT.

7. ONLY ON REREADING ARTICLE 43, DID WE SEE NEXT TO LAST SENTENCE OF PARA 2 SPEAKS OF "THE AVERAGE OF A VESSEL". OBVIOUSLY WORD IS "SALVAGE" OF THE VESSEL.

8. RE "NON-JUDICIAL OR NON-CRIMINAL DETENTION" (PARA 13 REFTTEL) WHICH DHAHRAN RAISED, ARTICLE 39 (9) LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 JIDDA 03419 070906Z

REVISED TO COVER ALL AMCITS (IT NOW ONLY REFERS TO PRESUMED DUAL NATIONALS) MAY HELP HOWEVER, ARTICLE 39(8) COULD NEGATE

SUCH SOLUTION, BECAUSE SUCH DETENTION SEEMS TO BE PART OF SAUDI LAW AND NORMAL PROCEDURES. ONLY NON-APPLICATION OF SUCH LOCAL LAW WOULD MEET OUR VIEWS OF THE RIGHTS WE SEEK AGAINST "LIMITATION OF PERSONAL FREEDOM".

9. MATTER RAISED IN PARA 15, DHAHRAN'S CONCERN ON CONSULAR PRIVILEGES AND STATUS, HAS BEEN FURTHER DISCUSSED BETWEEN EMBASSY AND CONGEN. WE WILL FOLLOW WITH SEPTTEL THIS MATTER ASAP.

10. AS FAR AS AMBASSADOR SONBUL'S VIEWS ON CONSULAR IMMUNITIES ARE CONCERNED PARA 17, WE HOPE HE IS ONE OF THOSE AMBASSADOR ALI REZA FOUND "VERY KEEN" TO MOVE AHEAD ON THIS CONSULAR CONVENTION. WE ALL ARE HERE.
WILEY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PLANNING MEETINGS, CONSULAR RELATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978JIDDA03419
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780194-0543
Format: TEL
From: JIDDA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780585/aaaacupc.tel
Line Count: 113
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 77f5b4a2-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 113329
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2768336
Secure: OPEN
Status: NATIVE
Subject: PROPOSED BILATERAL CONSULAR CONVENTION
TAGS: CGEN, PDIP, SA, US
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/77f5b4a2-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014